Registered No. M.—1175.

The Mysore Gazette.

Vol. 53.] PUBLISHED BY AUTHORITY. [No. 40.

BANGALORE, THURSDAY, OCTOBER 3, 1918.

PART III.

Legislative Measures and Rules thereunder.

No. 4999—Ml. 45-18-4, dated 30th September 1918.

NOTIFICATION.

With reference to paragraph 7 of Government Order No. 3005-55—Ml. 132-16-1, dated 16th November 1916, and under Section 23 (2) (*c*) of the Mysore Municipal Regulation, as amended by Regulation V of 1918, the Government of His Highness the Maharaja are pleased to prescribe the following rules in supersession of those published under Notification No. 414—Ml. 45-18-2, dated 4th July 1918 for the election of the President or Vice-President of a Municipal Council other than that of a City Municipal Council.

When the Government shall have directed that the President or the Vice-President or both of a Municipal Council shall be elected, the election shall be subject to the following rules :—

(i) The election shall be subject to the approval of Government.

(ii) The election shall take place at the first meeting of the newly constituted Municipal Council or at a Special Meeting held on a day not later than two months from the date of the Government Order, if the direction was given during the term of the existing Councillors, as the case may be. At least 20 days' and not more than 30 days' notice shall be given of such election by the President or the Vice-President or, in the absence of both, the Chief Executive Officer of the Municipal Council.

(iii) The election shall not be held unless at least half of the total number of Councillors are present at the meeting.

(iv) Every candidate for the office of President or Vice-President shall be nominated by at least two Councillors in the following from which shall be sent to the Chief Executive officer of the Municipal Council at least ten days before the date of the special meeting at which the President or the Vice-President is to be elected.

Municipality of.....

We the undersigned, nominate.....as a candidate for the office of $\frac{\text{President}}{\text{Vice-President}}$ at the election to be held on the.....day.....of the 191 .

Date

Signed.....

Signed.....

(v) The election shall be decided by a majority of votes of the Councillors present at the meeting and voting.

(vi) The election shall be conducted in the following manner :—Every Councillor wishing to vote shall, at the meeting, write on a slip of paper the name of the candidate he wishes to be elected to the office of President or Vice-President and place the same in a box so constructed that papers may be placed therein but not extracted without the box being opened. The Presiding authority shall then open the box and count the votes in the presence of the council. The candidate having the largest number of votes, or, if only one candidate has been nominated, such candidate shall be considered to have been elected to the office subject to the condition laid down in rule (v) above. If there are equal number of votes in favour of each of two or more candidates the election of one of them shall be made by lot by the presiding authority of the meeting in such manner as the Municipal Council at such meeting shall decide.

(vii) The result of the election shall be declared at the meeting immediately by the presiding authority and communicated by him without delay to the Deputy Commissioner of the District.

(viii) The presiding authority shall also forward under his signature to the Deputy Commissioner minutes of the proceedings of the meeting with the names of the Councillors present.

(ix) The validity of election may be contested by a petition signed by at least three Councillors and not otherwise, provided that such petition shall reach the Deputy Commissioner within seven days from the date of the election and shall allege specific grounds for setting aside the election on account of material irregularity in the conduct thereof.

(x) Upon receipt of such petition the Deputy Commissioner shall enquire personally or by some other officer deputed by him not below the grade of an Assistant Commissioner into the validity of such objection or objections.

(xi) When seven days from the meeting have expired, or, if any such petition as is described in Rule (ix) above has been received, then upon the conclusion of the enquiry into the validity of such objection or objections, the Deputy Commissioner shall report the proceedings, together with his opinion, to Government who shall pass such orders as they may think fit.

(xii) In the event of no election being made within the prescribed period, or in the event of an election held not being approved by Government, Government may appoint the President or Vice-President, as the case may be, or, may order a fresh election.

(xiii) These rules shall apply *mutatis mutandis* to the election of a President or Vice-President in filling up vacancies arising under Sub-section (7) of Section 23, Municipal Regulation. The vacancy should be filled up within two months from its occurrence.

By Order,

B. RAMASWAMAIYA,

Secretary to Government,

Revenue Department.